

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

JONATHAN GRIFFIN

PETITIONER

v.

No. 2:06CV93-P-A

CHRISTOPHER EPPS, ET AL.

RESPONDENTS

ORDER OF DISMISSAL

This matter comes before the court on the *pro se* petition of Jonathan Griffin (# K1050) for a writ of *habeas corpus* under 28 U.S.C. § 2254. The petitioner moved on May 25, 2006, to proceed *in forma pauperis*, but the court denied that motion because the petitioner had enough money on hand to pay the \$5.00 filing fee – because it appeared that the petitioner forged the signature of the Mississippi Department of Corrections account representative on the *in forma pauperis* application. The court set a deadline of August 15, 2006, for the petitioner to pay the filing fee in this case, warning, “[f]ailure to pay the filing fee by this deadline will result in the dismissal of this case under FED. R. CIV. P. 41(b).” Despite this warning, the petitioner did not pay the filing fee by the deadline. Instead, he filed an amended petition with a second motion to proceed *in forma pauperis*. The second motion *also* included the forged signature of the Mississippi Department of Corrections account representative. The petitioner has failed to abide by the court order – and appears to have forged the Mississippi Department of Corrections account specialist’s signature on two separate occasions for these reasons, the petitioner’s motion

to proceed *in forma pauperis* is hereby **DENIED**. Further, the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice.

SO ORDERED, this the 6th day of November, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE